REQUEST **FOR**

CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

1

NAME

Application Number:

10/766,603

Filing Date:

January 27, 2004

First Named Inventor.

Robert Gregory Wagoner

Group Art Unit: 2836

Daniel J. Cavallari

Examiner Name: Attorney Docket Number: 0001285USU/379

8/16/07

DATE

CUSTOMER NO .:

27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114			
	a.	XXXXX	Previou	sly submitted
		i. <u>X</u>		Consider the amendment under 37 C.F.R. 1.116 previously filed on
				July 20, 2007 (any unentered amendment(s) referred to above will be entered).
		ii		Consider the arguments in the Appeal Brief or Reply Brief previously filed
		_	 1	filed on
		iii.	(Other
	b.		Enclose	
		i.		Amendment/Reply with transmittal
		ii. –		Affidavit(s)/Declaration(s)
		iii.		Information Disclosure Statement (IDS) and PTO-1449
		iv.		Other
2.	Misce	llaneous		
	a.		Susnen	sion of action on the above identified application is required and action
	u .		CED	sion of action on the above-identified application is requested under 37
}			Suspens	§ 1.103(c) for a period of months. (Period of ion shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
	b.		Other	ion shall not exceed 5 months, ree under 57 C.F.R. §1.17(1) required)
3.	Fees	The RCE fe	_	R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
•	a.	XXXXX		
	a.	<u> </u>	Overpay	ector is hereby authorized to charge any deficiency in fees, or credit any
		i. X	XXXX I	ments to Deposit Account No. 01-0467.
		'· <u>△</u> ii.	<u> </u>	RCE fee (\$790.00/\$395.00) required under 37 C.F.R. §1.17(e)
		'' iii.		Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
	h		——Chaols ii	Other
	b.	<u>XXXXX</u>	Check ii	n the amount of \$_790.00 enclosed
	C.		Paymer	nt by credit card (Form PTO-2038 enclosed)
				$IIII \cap A$
Auc	ust 16,	2007		Gld I he
Date of Signature				Edward L. McMahon
				Attorney for Applicant(s)
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l horob	, cortifi, t	hat this some		CERTIFICATE OF MAILING
Mail St	n RCF	nat tills coffe Commission	er for Patente D	ing deposited with the U.S. Postal Service as first class mail in an envelope addressed to: O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2007.
aii Ott	,		Ci ioi i alcillo, P.	J. DOX 1450, Alexandria, VA 22515-1450 On August 16, 2007.
Joanne A. Romaniello				Danse a Romaniana 8116107